

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 21, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHELLE O.,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 4:20-CV-5191-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 15. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney David J. Burdett represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 4. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Administrative Law Judge (ALJ) shall offer Plaintiff the opportunity for a new hearing and issue a new decision. The ALJ is further directed to: (1) reevaluate whether the severity of Plaintiff's impairments meets or

1 equals the severity of a listed impairment; (2) reevaluate the medical opinion
2 evidence of record; (3) as warranted, reevaluate Plaintiff's maximum residual
3 functional capacity; (4) if warranted by the expanded record, obtain supplemental
4 vocational expert evidence to clarify the effect of the assessed limitations on
5 Plaintiff's ability to perform other work in the national economy; and (5) take any
6 further action needed to complete the administrative record.

7 2. **Judgment shall be entered for PLAINTIFF.**

8 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is
9 **STRICKEN AS MOOT.**

10 4. An application for attorney fees and costs may be filed by separate
11 motion.

12 The District Court Executive is directed to enter this Order, forward copies
13 to counsel, and **CLOSE THE FILE.**

14 DATED May 21, 2021.



A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE